

CASCADE COUNTY COMMISSION MEETING
February 9, 2016
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 A.M.

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611 (2) (b). These minutes were officially approved at the February 29, 2016 meeting.

Present: Chairman Joe Briggs, Commissioner Jane Weber, and Commissioner Jim Larson.

Staff: Carey Ann Shannon, Susan Conell, Casey Mohler, Deen Pomeroy, Bonnie Fogerty, and Marie Johnson.

Public members; Steve Erwin, Robert Ponida, Christy Hagler, Jillian Sunwall, Trista Besich, Jana Cooper, Mark Leo, Casey Taft, Sue Taft, Mike Hagen, and John Watts.

Reading of the Commissioners calendar: Bonnie Fogerty, read the weekly calendar.

Purchase orders and accounts payable warrants: Commissioner Weber made a **MOTION** to approve the purchase orders and accounts payable warrants. Approved purchase orders and accounts payable checks #259413 thru #259735 totaling \$753,476.48 dated 01/15/2016 thru 01/22/2016 **Motion carries 3-0**

Consent agenda: The consent agenda is made up of routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for further discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Larson made a **MOTION** to approve minute entries dated January 6, 2016, January 20, 2016, January 20, 2016 (special meeting), January 26, 2016 and January 27, 2016. Also the approval of routine contracts as follows;

♦ **Resolution 16-14:** A resolution establishing an Environmental Certifying Officer. R0318524

♦ **Resolution 16-19:** Budget Appropriation for unanticipated donation for the DUI Task Force to use for publicity. Total Amount: \$100.00 R0318529

♦ **Resolution 16-20:** Big Sky Economic Development Trust Fund Job Creation Projects Grant on behalf of Anderson Steel. R0318530

♦ **Contract 16-14:** The Office Center Equipment Service Contract #1936 for a TASKalfa 4501i printer at the Sheriff's Office. Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318535

♦ **Contract 16-15:** The Office Center Equipment Service Contract #1935 for a TASKalfa 4501i printer at the Sheriff's Office. Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318536

♦ **Contract 16-16:** The Office Center Equipment Service Contract #1934 for a TASKalfa 4501i printer at the Sheriff's Office. Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318537

♦ **Contract 16-17:** The Office Center Equipment Service Contract #1933 for a TASKalfa 4501i printer at the Sheriff's Office. Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318538

♦ **Contract 16-18:** The Office Center Equipment Service Contract #1946 for a TASKalfa 4501i printer at the Sheriff's Office Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318539

♦ **Contract 16-19:** The Office Center Equipment Service Contract #1932 for a TASKalfa 4501i printer at the Sheriff's Office Effective Dates: December 15, 2015 - December 14, 2016. Annual Amount: \$360.00 R0318540

♦ **Contract 16-20:** Montana Board of Investments Amortization Schedule Modification for Infrastructure Loan #724-9896. (Ref: Resolution 15-65, R0312859) R0318545

♦ **Contract 16-21:** Cooperative Law Enforcement Agreement #12-LE-11015600-008 MOD 006. 2016 Annual Operating Plan & Financial Plan between the Sheriff's Office and the USDA, Forest Service Lewis & Clark National Forest Service. Total Amount: \$3,500.00 (Ref: Contract 12-14, R0249136) R0319026

CITY/COUNTY HEALTH DEPARTMENT

♦ **Resolution 16-15:** Budget Appropriation to establish budget from two FDA grants for the Retail Food Inspections Program. Total Amount: \$5,500.00 R0318525

♦ **Resolution 16-16:** Budget Appropriation to establish budget for the Maternal Child Health Block Grant Program for reimbursement of oral health supplies from the GFPS Foundation. Total Amount: \$1,800.00 (Ref: Contract 15-46, R0309394) R0318526

♦ **Resolution 16-17:** Budget Appropriation of revenue from FY2015 Medicare Cost Report Settlement. Total Amount: \$13,701.00 R0318527

♦ **Resolution 16-18:** Budget Appropriation for FY2016 WIC Farmer's Market, Task Order 16-07-5-21-080-0. Total Amount: \$1320.00 (Ref: Contract 15-92, R0310183)

Motion carries 3-0 R0318528

AGENDA ITEM #1

PUBLIC HEARING

Preliminary Plat approval of Phase I the Mountain View Estates Major Subdivision located in the NE1/4, Section 26, Township 20N, Range 2E, P.M.M. Initiated by: Mike Hagen

Recess the regular Commission Meeting: Chairman Briggs recessed the Commission Meeting Hearing at 9:40 a.m.

Public Hearing called to order: Chairman Briggs called the Public Hearing to order at 9:40 a.m.

Reading of the Public Notice: Chairman Briggs requested the Public Notice be made part of the record and waived the reading of the Public Notice with no objections. (See Exhibit "A").

Presentation of the Mountain View Estates Major Subdivision: Susan Conell Planning Director read the synopsis which can be found in the Agenda Action Report dated February 9, 2016. She announced that there were revisions to two (2) of the conditions one being condition #9 with the addition of the word gravel to the road; and condition #22 will be added that refers to easements for public services. (Refer to the condition for full verbiage). Also included is an email received from Joe Schuler General Partner for Lois Shure ETAL GV. Writing in opposition of this action (see Exhibit "B").

There was discussion regarding condition #22 and it was noted that it is a condition in the Subdivision Regulations and that the staff requested it be placed in the subdivision application as a condition. Carey Ann Shannon suggested that a possible term could be added to state that the appropriate permits might be required. Chairman Briggs agreed and Commissioner Weber suggested it be added to the subdivision application for all parties applying.

There was some discussion about the amounts of cisterns and if they were sufficient.

Jana Cooper TD&H, Engineering Firm, stated she is representing the applicant. She announced that the lots will be cisterns not wells and would be sufficient for fire suppression.

Chairman Briggs called for Testimony three times with no one speaking.

Chairman Briggs called for Proponents (in favor of this subdivision) three times with no one speaking.

Chairman Briggs called for Opponents (against this subdivision).

Sue Taft of Great Falls, shared her complaints about the culverts that were added on three sides of their farm that has caused flooding of their crops. Commissioner Weber noted that the County put in the culverts and she would investigate this matter.

Chairman Briggs called for Opponents (against this subdivision) three times with no additional speakers.

Chairman Briggs closed the Public Hearing at 10:05 a.m.

Chairman Briggs returned to the regular Commission Meeting at 10:05 a.m.

Chairman Briggs called for a motion. Commissioner Weber made a MOTION to conditionally approve the Preliminary Plat of Mountain View Estates Major Subdivision, based on the Findings of Fact and the Staff Report subject to the following twenty-two (22) conditions. **Motion carries 3-0**

Commissioner Larson questioned Mr. Schaller's email about him opposing them taking his neighboring land. Chairman Briggs stated that he encouraged him to attend this meeting.

AGENDA ITEM #2

PUBLIC HEARING

Subsequent Minor Subdivision Plat of Birky Tracts located in the North ½, of Section 36, Township 21 North, Range 3 East, P.M.M.

Initiated by: Mike Hagen

Recess the regular Commission Meeting: Chairman Briggs recessed the Commission Meeting Hearing at 10:08 a.m.

Public Hearing called to order: Chairman Briggs called the Public Hearing to order at 10:08 a.m.

Reading of the Public Notice: Chairman Briggs requested the Public Notice be made part of the record and waived the reading of the Public Notice with no objections. (See Exhibit "C").

Presentation of the Birky Tracts: Alex Dachs, Planner read the synopsis and the ten (10) conditions which can be found in this Agenda Action Report dated February 9, 2016. There was some discussion on condition #4 and the Commission recommended to have the condition include the (installation of cisterns), and was unsure of how this could be verified. It was also noted that in condition #10 that the term "telegraphy" be taken out and possibly be replaced with "telecommunications". Another added concern was concerning the 20-year time line for the RSID and that this condition should also be added to the conditions.

Chairman Briggs called for Testimony three times with no one speaking.

Chairman Briggs called for Proponents (in favor of this subdivision).

Mark Leo of Big Sky Civil and Environmental Engineering announced that he was available for questions or concerns, which there were none.

Chairman Briggs called for Proponents (in favor of this subdivision) three times with no one speaking.

Chairman Briggs called for Opponents (against this subdivision) three times with no additional speakers.

Chairman Briggs closed the Public Hearing at 10:18 a.m.

Chairman Briggs reconvened the Commission meeting at 10:18 a.m.

Chairman Briggs called for a motion.

Commissioner Larson made a **MOTION** to approve the Birky Tracts Minor Subdivision based on the Findings of Facts and the Staff Report subject to ten (10) conditions as amended. Motion carried 3-0

AGENDA ITEM #3

BOARD APPOINTMENTS –TAX APPEAL BOARD WITH ALTERNATES

Commissioner Weber suggested three candidates; Charles Pankratz, Frank Schoenen and Patty Taurman.

Chairman Briggs called for a motion.

Commissioner Weber made a **MOTION** to appoint Charles Pankratz, Frank Schoenen, and Patty Taurman with a term to expire April 30, 2019. Motion carries 3-0

Public Participation in decisions of the Board and allowance of public comment on matters the Commission has jurisdiction, on items not covered by Today's agenda.

Adjournment: Chairman Briggs adjourned this Commission meeting at 10:24 a.m.

Next meeting date: All meetings are held in the Commission Chambers at the Courthouse Annex. The next meeting will be a work session that will be held on Wednesday, February 17, 2016, at 2:00 p.m.